COUNT

IN THE UNITED STATES DISTRICT COURT AT ABOUT THE WESTERN DISTRICT OF VIRGINIA

BIG STONE GAP DIVISION

JUL 2 8 2010

JOHN F. CORCORAN, CLERK
BY: JUL 2 8 2010

JANE E. LOPINSKY,) DEPU
Plaintiff,) Case No. 2:09CV00054
v.) JUDGMENT
COMMISSIONER OF) By: James P. Jones
SOCIAL SECURITY,) United States District Judge
Defendant.)

It appearing that no objections have been timely filed to the Report filed July 8, 2010, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

- The Report and its findings and recommendations are wholly ACCEPTED and APPROVED;
 - 2. The motions for summary judgment by the parties are DENIED;
- 3. The final decision of the Commissioner of Social Security is VACATED and this action is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration in accord with the Report; and
 - 4. The clerk will close this case.

ENTER: July 27, 2010

United States District Judge